

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THANH VAN TRAN,	:	CIVIL ACTION
	:	
Petitioner,	:	
	:	
v.	:	
	:	NO. 10-6771
SUPERINTENDENT VARANO, et al.	:	
	:	
Respondents.	:	

ORDER

AND NOW, on this 31st day of August, 2011, upon consideration of Petitioner Thanh Van Tran's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (ECF No. 1), United States Magistrate Judge Carol Sandra Moore Wells's Report and Recommendation dated May 27, 2011 (ECF No. 15), Petitioner's objections thereto (ECF No. 18), and all related filings, and for the reasons in the accompanying Memorandum on Petition for Writ of Habeas Corpus, it is hereby ORDERED as follows:

1. The Report and Recommendation (ECF No. 15) is APPROVED and ADOPTED consistent with the accompanying Memorandum;
2. Petitioner's Objections to the Report of Recommendation (ECF No. 18) are OVERRULED;
3. Petitioner's Petition for Writ of Habeas Corpus (ECF No. 1) is DENIED with prejudice and DISMISSED without an evidentiary hearing;
4. There is no probable cause to issue a certificate of appealability;

5. The Clerk shall mark this matter as CLOSED for statistical purposes.

BY THE COURT:

/s/ Lawrence F. Stengel for
Michael M. Baylson, U.S.D.J.

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